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SPECIALIZING IN PATENTS, TRADEMARKE & COPYRIGHTS

DEBRA G. SHOEMAKER, PH.D.++

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## FACSIMILE TRANSMISSION

## URGENT - POST ALLOWANCE COMMUNICATION

Date: 12/6/2005

Pages: 6

To:

U.S. Patent Office Office of Petitions

From: David G. Posz

Fax No.: 571-273-8300

Subject:

Confirmation of Priority Claim / Contingent Rule 78(a)(3) Petition To

Accept Unintentionally Delayed Priority Claim

#### CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being flectimile transmitted to the United States Palent and Tradamark Office, Office of Petitions, Fan No. 571-273.

Typed Name: DAVID G. POSZ

Signature:

### Comments:

Applicant(s): YAMASHITA Atty Docket: 24-011-TB

Serial No.: 10/729,975

Group Art Unit: 2829

Filed: December 9, 2003

Examiner: Jermele M. Hollington

Title: HEATER-EQUIPPED PUSHER,

ELECTRONIC COMPONENT HANDLING APPARATUS, AND TEMPERATURE CONTROL METHOD FOR ELECTRONIC

COMPONENT

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PAGE 1/6 \* RCVD AT 12/6/2005 7:20:46 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/25 \* DNIS:2738300 \* CSID: \* DURATION (mm-ss):01-42

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DEC 0 6 2005

## URGENT - POST ALLOWANCE COMMUNICATION EXPEDITED PROCEDURE **TECHNOLOGY CENTER 2800**

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): YAMASHITA

Atty. Docket: 24-011-TB

Serial No.: 10/729,975

Group Art Unit: 2829

Filed: December 9, 2003

Examiner: Jermele M. Hollington

Titlo: HEATER-EQUIPPED PUSHER, ELECTRONIC COMPONENT HANDLING APPARATUS, AND TEMPERATURE CONTROL METHOD FOR ELECTRONIC

Date December 6, 2005

COMPONENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Mall Stop: Petition

CERTIFICATE OF PACSIMILE TRANSMISSION

I lurreby certify that this correspondence is being face units transmitted to the United States Facent and Trademark Office, Office of Patitions, Fax No. 571-273-8300, on December 6, 2005.

Typed Name: DAVID G, POS2

Signature:

REQUEST TO CONFIRM ACCEPTANCE OF EARLIER CLAIM FOR DOMESTIC PRIORITY UNDER 35 USC 120 / 365(C)

AND **CONTINGENT RULE 78(A)(3) PETITION TO ACCEPT UNINTENTIONALLY** DELAYED PRIORITY CLAIM

Sir:

Applicant respectfully requests confirmation that the claim for domestic priority under 35 USC 120 and 365(c) made at the time of filing of the present application on form PTO/SB/05 (as-filed copy attached) was accepted and that the corresponding data (i.e., that this application is a continuation of application no. PCT/JP02/06815, filed on July 4, 2002) will appear under the "RELATED U.S. APPLICATION DATA" heading on the front page of the resulting patent that will issue from the presently allowed application.

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PAGE 2/6 \* RCVD AT 12/6/2005 7:20:46 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/25 \* DNIS:2738300 \* CSID: \* DURATION (mm-ss):01-42

Application No.: 10/729,975

Atty. Docket No.: 24-011-TB

If such confirmation is denied, applicant hereby petitions pursuant to 37 C.F.R. 1.78(a)(3) to claim the benefit of priority under 35 USC 120 and 365(c) of prior-filed international application PCT JP02/06815, filed on July 4, 2002, for the above-identified application if the above request for confirmation of the earlier claim for priority is denied.

In particular, pursuant to 37 CFR 1.78(a)(2) and (a)(3)(i) and 35 USC 120, and as noted above, applicant timely provided reference to the prior-filed international application as evidenced by the attached copy of the form PTO/SB/05 that was filed concurrently with the present application on December 9, 2003. In addition, a 2-page application data sheet with appropriate priority information is attached.

Pursuant to 37 C.F.R. 1.78(a)(3)(ii), authorization is hereby provided if necessary to debit Deposit Account 50-1147 for the required petition fee of \$1370.00 as set forth in 37 C.F.R. 1.17(t). Any additional necessary fees may also be charged to Deposit Account 50-1147.

Pursuant to 37 C.F.R. 1.78(a)(3)(iii), and for the reasons set forth above, the undersigned states that the entire delay between the priority claim due date as defined under 37 CFR 1.78(a)(3)(ii) and the present claim for priority was unintentional.

Applicant respectfully and urgently requests confirmation that the claim for domestic priority made at the time of filing of the present application has been accepted. Alternatively, applicant requests approval of the above petition if the aforementioned earlier claim for priority is not accepted.

Respectfully submitted

David G. Posz Reg. No. 37,701

Customer No. 23400

DGP Posz Law Group, PLC 12040 South Lakes Drive Suite 101 Reston, VA 20191 (703) 707-9110

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Under the Paperwork Reduction Act of no persons are required to :			
PATENT APPLICATION	Attorney Ocket No. 24-011-TB  First Investor or Application Identifier YAMASHITA		
TRANSMITTAL	THE HEATER-EQUIPPED PUSHER, ELECTRONIC COMPONENT HANDLING APPARATUS, AND TEMPERATURE CONTROL METHOD FOR ELECTRONIC COMPONENT		
(Only for new nonprovisional applications under 37 C.P.R.§ 1.53(b))	Express Mell Label No.		
APPLICATION ELEMENTS See MPEP chapter 600 concerning utility patent application contents.  ADDRESS TO: Commissioner for Patents, Mell Stop Patent Application 0 6 2005 Arlington, VA 22202			
1. X Specification (e.g., PTO/88/17) (Submit an original and a duplicate for fee processing) 2. X Specification (Total Pages 34  -Descriptive title of the invention -Cross Reference to Related Applications -Background of the Invention -Summary of the invention -Summary of the invention -Brief Description of the Drawings  -Detailed Description of the Preferred Embodiment -Claims -Abstract of the Disclosure  3. X Drawing(s) (35 U.S.C. 113) (Total Sheets 3  4. Oath or Declaration (Total Sheets 3  5. X Newly exacuted (original or copy)  b. Copy from a prior application (37 C.F.R. § 1.6 (for continuation/divisional with Box 16 completed inventor(s) named in the prior application see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b)	(PTC/SB09-12) Status still proper and decired  14. Certified Copy of Priority Document(e) (if foreign priority is claimed)  Other: Other:		
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment.    X  Continuation			
Name  23400 ar Correspondence address below  (Insert Customer No. or Attach bar code label hare)			
Address			
City State Zip Code			
Country Teleph	hone 703) 707-0110 Fex (703) 707-9112		
Name (Print/type) DAVID G. POSZ	Registration No. (Attorney/Agent) 37,701		
Signature	Date December 9, 2003		

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the including case. Any comment of the ended of the including case. Any comment of the ended of the including case. Any comment of the ended of the including case. Any comment of the ended of the including case. Any comment of the ended of the including case. Any comment of the ended of the including case. Any comment of the ended of the including case. Any comment of the ended of the ende